

to another client or to a third person, or by the judge advocate's own interests, unless:

(i) The judge advocate reasonably believes the representation will not be adversely affected; and,

(ii) The client consents after consultation. When representation of multiple clients in a single matter is undertaken, the consultation shall include explanation of the implications of the common representation and the advantages and risks involved.

(b) [Reserved]

§ 776.27 Conflict of interests: Prohibited transactions.

(a) *Conflict of interests: Prohibited transactions.* (1) Judge advocates shall strictly adhere to current Department of the Navy Standards of Conduct Regulations and shall not:

(i) Knowingly enter into any business transactions on behalf of, or adverse to, a client's interest which directly or indirectly relate to or result from the attorney-client relationship, or otherwise profit, directly or indirectly, through knowledge acquired during the course of the judge advocate's official duties;

(ii) Accept compensation or gifts in any form from a client or other person or entity, other than the U.S. Government, for the performance of official duties;

(iii) Provide any financial assistance to a client or otherwise serve in a financial or proprietary fiduciary or bailment relationship, unless otherwise specifically authorized by competent authority;

(iv) Negotiate any settlement on behalf of multiple clients in a single matter unless each client provides his or her fully informed consent;

(v) Represent a client whose interests are materially adverse to the interests of a former client, unless the former client consents, or use information from the former representation to the disadvantage of that former client, except as permitted or required under § 776.26 or when the information has become otherwise generally known;

(vi) make any referrals of legal or other business to any non-governmental lawyer or enterprise with whom the judge advocate has any present or

expected direct or indirect personal interest; any referrals must be made strictly without regard to personal interests of the judge advocate, and special care shall be taken not to give preferential treatment to Reserve judge advocates or other government attorneys in their private capacities;

(vii) Make or negotiate an agreement giving the judge advocate literary or media rights for a portrayal or account based in substantial part on information relating to representation of a client; or,

(viii) Represent a client in a matter directly adverse to a person who the judge advocate knows is represented by another lawyer who is related as parent, child, sibling or spouse to the judge advocate, except upon consent by the client after consultation regarding the relationship.

(2) [Reserved]

(b) [Reserved]

§ 776.28 Conflict of interests: Former client.

(a) *Conflict of interests: Former client.*

(1) A judge advocate who has represented a client in a matter shall not thereafter:

(i) Represent another person in the same or a substantially related matter in which the person's interests are materially adverse to the interests of the former client, unless the former client consents after consultation; or,

(ii) Use information relating to the representation to the disadvantage of the former client or to the judge advocate's own advantage, except as § 776.25 would permit with respect to a client or when the information has become generally known.

(2) [Reserved]

(b) [Reserved]

§ 776.29 Imputed disqualification: General rule.

Judge advocates working in the same military law office are not automatically disqualified from representing a client because any of them practicing alone would be prohibited from doing so by § 776.26, § 776.27, 776.28, or § 776.37.